

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 28**

**District 1199NM, National Union
of Hospital and Healthcare Employees
AFSCME, AFL-CIO,**

Petitioner,

and

CASE NO. 28-RC-6661

**St. Catherine Healthcare and
Rehabilitation Hospital, LLC**

Respondent.

MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF

Counsel for Petitioner, District 1199NM, hereby moves for an extension of time to file the Union's Response Brief to Employer's Exceptions to the Administrative Law Judge's Report on Challenged Ballot and Objections in the above captioned matter from October 19, 2009, to October 26, 2009. In support of this motion, Counsel for the Petitioner states the following:

1. Counsel for the Petitioner has not previously sought any extension of time in this matter;
2. The press of other obligations has delayed the Counsel for Petitioner's briefing of the instant case; and,
3. Counsel for Respondent has authorized the undersigned to state that he does not oppose Counsel for Petitioner's request to extend the deadline to respond.

For the foregoing reasons, Counsel for the Petitioner requests that the due date for the Petitioner's Response Brief to Employer's Exceptions to the Administrative Law Judge's Report on Challenged Ballot be extended up to and including October 26, 2009.

Respectfully submitted,

Dated: October 16, 2009

YOUTZ & VALDEZ, P.C.

Original signed by Marianne Lopez

Shane Youtz

Marianne Bowers Lopez

900 Gold Ave. S.W.

Albuquerque, N.M. 87102

(505) 244-1200

Counsel for Petitioner

DECLARATION OF FILING AND SERVICE BY EXPRESS SERVICE CARRIER

I, Marianne Bowers Lopez, certify and declare as follows:

My address is 900 Gold Avenue S.W., Albuquerque, New Mexico, 87102, which is located in the county where the mailing below took place.

On October 16, 2009, pursuant to 28 U.S.C. § 1746, I electronically filed the foregoing MOTION FOR EXTENSION OF TIME TO RESPONSE BRIEF, along with a copy of this Declaration, via the National Labor Relations e-filing system, accessed through the NLRB website at www.nlrb.gov.

Further, on October 16, 2009, I deposited in a box or other facility regularly maintained by United Parcel Service (UPS), an express service carrier, the original and two (2) true and correct copies of the foregoing MOTION FOR EXTENSION OF TIME TO RESPONSE BRIEF in an envelope designated by UPS, with delivery fees paid or provided for in full, addressed to the following:

National Labor Relations Board
Region 28
2600 North Central Ave., Suite 1800
Phoenix, AZ 85004-3099

Further, on October 16, 2009, I faxed, deposited and mailed, via regular United States mail, postage pre-paid and affixed thereto, a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE RESPONSE BRIEF, to the following

Bradley W. Kampas, Esq.
John A. Ontiveros, Esq.
JACKSON LEWIS LLP
199 Fremont St., 10th Floor
San Francisco, CA 94105
(415) 394-9401 – Fax
Attorneys for Employer

Executed on October 16, 2009

By: Original signed by
Marianne Bowers Lopez